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Central Intelligence Agency

Washington, D.C. 20505

November 18, 1988
OCA 3817-88

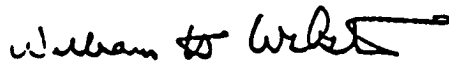
The Honorable Joseph R. Wright, Jr.
Acting Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Wright:

This is in response to your request for the views of the Director of Central Intelligence on enrolled bill H.R. 5043, the "Post-Employment Restrictions Act of 1988." The purpose of this legislation is to strengthen and clarify current criminal conflict of interest statutes that apply to the post-employment activities of executive branch personnel and to establish criminal conflict of interest prohibitions to apply to the post-employment activities of personnel of the legislative branch.

After reviewing this legislation, I have determined that it would not adversely interfere with the intelligence activities of the Central Intelligence Agency. I therefore would have no objection on that basis to the President signing this bill. The bill's provisions may, however, make it more difficult for the Government to recruit highly qualified persons into senior positions in the national security area. I would hope that the President would give this serious consideration in making his decision.

Sincerely yours,



William H. Webster
Director of Central Intelligence

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OCA/LEG, 22Nov88

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Post-Employment Restriction Act

FROM:

John L. Helgerson
Director of Congressional Affairs

EXTENSION

NO.

OCA 3658-88 & OCA 3661-88

DATE

02 NOV 1988

TO: (Officer designation, room number, and building)

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Executive Registry

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3. Executive Director

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JT

4.

5. Deputy Director of
Central Intelligence

2 NOV

J

6.

7. Director of
Central Intelligence

2 NOV

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Wh

8.

9. Executive Registry

10.

11. Director of
Congressional Affairs

12.

13.

14.

15.

DCI
EXEC
REG

L-111-IR

To ER
11/2/88

2 November 1988
OCA 3658-88

NOTE FOR: The Director

FROM: John L. Helgerson
Director of Congressional Affairs

SUBJECT: Post-Employment Restriction Act

The Office of Management and Budget has requested your views by 3 November on whether the President should sign H.R. 5043, the "Post-Employment Restrictions Act of 1988." I understand that a similar request has been sent to all cabinet members.

The purpose of the Act is to strengthen and clarify the current criminal conflict of interest statutes that apply to the post-employment activities of Executive branch personnel; and to establish criminal conflict of interest prohibitions to apply to the post-employment activities of personnel in the legislative branch. One particularly interesting section of the bill would prohibit for a period of one year certain senior government officials from representing the interest of foreign governments, or foreign entities controlled by a foreign government, before government agencies or officials for the purpose of influencing a decision of an agency or official. The ban would also apply to advising foreign governments on how to lobby U.S. government officials.

Beyond working out some mechanism with the Office of Government Ethics to confirm where it is otherwise unknown that a foreign corporation is controlled by foreign government, the Agency does not have any particular intelligence equities at stake with this legislation. The bill before the President may actually be helpful to the Intelligence Community in that it remedies in part a potential problem of former intelligence officials using their knowledge to work on behalf of foreign governments to lobby U.S. Government officials.

I have prepared for your signature a proposed response to OMB that states that the Agency does not have any objection to the President signing this legislation. The Office of General Counsel and Office of Personnel concur in this response.

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[Redacted Signature Box]

John L. Helgersøn

Attachment as
stated

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OCA/LEG

[Redacted Box]

(2 November 1988)

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